

### **REMARKS/ARGUMENTS**

This application has been reviewed in light of the Office Action mailed December 24, 2003. Claims 1-2 are pending in the application with Claims 1-2 being rejected by the Office Action. Applicant elected Claims 1-2 in the amendment of October 22, 2003 and reserved the right to prosecute claims 3-17 by way of one or more divisional applications in response to the Office Action of September 25, 2003 identifying a restriction and/or election requirement. Claims 3-17 are hereby cancelled without prejudice. New claims 18-37 are hereby added with claims 34 and 37 being independent claims. Support for the aforementioned amendment is found throughout the specification and drawings. No new matter is added.

### **CLAIM REJECTIONS**

The Office Action rejected Claims 1-2 under 35 U.S.C. §102(b) over GB 1 492 003 (Figs. 1 and 3; page 2, line 113 through page 3, line 11; page 3, lines 45-55) to *Hatori* (hereinafter "*Hatori*"). Notwithstanding Applicant's belief that Claims 1-2 were allowable as presented, Applicant has elected to amend claims 1-2. Applicant believes amended claims 1-2 and new claims 18-37 are in compliance with USC §§ 112 and have overcome the rejection set forth under 35 USC §§ 102. Applicant respectfully requests a timely Notice of Allowance be issued in this application.

*Hatori* discloses on p. 1, lines 113-125, FIGS. 1-3 and 6-7 a pair of net curtains stored in a roll above a ceiling. The rolled net curtains are connected with an automated smoke/fire alarm system such that "curtain 6 falls down to the floor 2 under its own weight." when the fire/smoke alarm is initiated. *Hatori* also teaches on p. 2, lines 5-11,

an exclusively foam system that is gravity fed between two nets. "It flows down therebetween and on their surfaces in a sufficient amount to cover substantially the entire width of the curtain 6 to make it gastight, thereby preventing flame and smoke from spreading to other sections of the room or passage.

In contrast, amended Claim 1 is neither disclosed nor suggested by the method of *Hatori* and recites, *inter alia*, "providing a space defined between respective inner surfaces of at least two members, supplying the cooling liquid in said space, the cooling liquid being supplied as a flow of separate drops by means of spraying the liquid in said space in order to form a vapor drop air medium between said surfaces. Thus, Applicant discloses a method for attenuating heat by supplying a liquid into a space by spraying separate drops to form a vapor drop air medium between the surfaces.

The method and apparatus disclosed by *Hatori* are for "preventing flame and smoke from spreading," using a foam filled net curtain 6, and specifically teaches a gravity fed foam system configured to make a gas tight seal within curtain 6 to prevent the spreading of flame and smoke beyond curtain 6. In contrast, thereto, the present application discloses a method for heat attenuation wherein "a flow of separate drops by means of spraying the liquid in said space to form a vapor drop air medium between said surfaces." Further, *Hatori* neither teaches nor suggests, *inter alia*, as stated in new claim 34 a method for "supplying a flow of dispersed drops of cooling liquid within said space to define a curtain of cooling liquid therein, said liquid being dispersed in a manner to create a heat attenuating medium formed of vapor droplets and air."

Referring now to new claim 37, *Hatori* similarly neither teaches nor suggests, *inter alia*, a method for "said spraying controlling the quantity of the supplied cooling

liquid to create a vapor drop air medium between said protective members and cooling liquid films on said inner surfaces.”

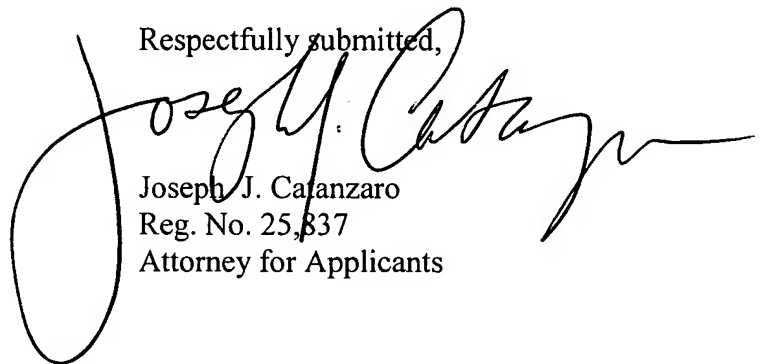
Thus, Applicant respectfully submits that independent Claims 1, 34 and 37 are patentable over the referenced art and therefore should be allowed. Applicant further requests dependent Claims 18-33 and 35-36 be allowed as a result of their dependency from claims 1 and 34, respectively.

Applicant requests any fees for this amendment be charged to Deposit Account No. 01-0035.

**SUMMARY**

It is respectfully submitted that none of the cited art disclose or suggest the present disclosure as claimed in Claims 1 and 18-37 and allowance of the claims is earnestly solicited.

Respectfully submitted,

A large, stylized handwritten signature in black ink, which appears to read "Joseph J. Calanzaro". The signature is written over the typed name and registration number.

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Attachments